

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. : 10/716,248 Confirmation No. 5207
Applicant : David M. Tucker
& Charles R. Yemington
Filed : 11/17/2003
TC/AU : 2856
Examiner : Paul M. West
Docket No. : 205-0034R1
Customer No. : 29855

EFS Submission
Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231

REQUEST FOR CONTINUED EXAMINATION

Sir:

In response to the final office action mailed 03/08/2007, the Advisory Action mailed 6/26/07, as well as further telephone conferences with the Examiner, Applicants on 8/30/2007 provided the required Supplemental Oaths that were believed to place the instant reissue application in condition for allowance. Although the PAIR database provides that the response was forwarded to the Examiner on 09/05/2007, no further actions have been received from the PTO.

On March 03, 2006, the Applicants disclosed that an *Inter Partes* Reexamination of U.S. Patent No. 6,840,088 ('088 Reexamination) had been filed and that said patent was related to the present application. The Control No. for the '088 Reexamination is 95/000128. Although the references cited by the Third Party Requester in the '088 Reexamination have been made of record in the present case and it is believed that the Examiner would have ready access to the status and filings in the '088 Reexamination, in an abundance of caution, the present RCE is filed such that the recent Office Action and responses thereto in the '088 Reexamination will be made explicitly of record and shown to have been considered.

The Examiner's attention is drawn to the fact that *Inter Partes* Reexamination Control No. 95/000,128, remains pending and that the respective underlying application is related as a CIP to the instant case. The IDS submitted herewith discloses the filings of record in *Inter Partes*

Reexamination Control No. 95/000,128 but does not resubmit references that have already been submitted. Should the Examiner wish to have copies of any of these references or have any questions, please do not hesitate to call Applicant's attorney at 832-446-2421.

Respectfully submitted on 8-8-2008,

By

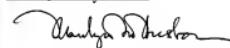


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